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Attn: Anne R. Kubelik/ Art Unit 1638

FROM: Leigh W. Thorne

Appl. No.: 10/032,717 Confirmation No.: 5409
Applicant(s): Abad *et al.*
Filed: October 23, 2001
Art Unit: 1638
Examiner: Anne R. Kubelik
Title: GENES ENCODING NOVEL BACILLUS THURINGIENSIS PROTEINS WITH PESTICIDAL
ACTIVITY AGAINST COLEOPTERANS

Docket No.: 35718/237005
Customer No.: 29122

Attached please find the following documents submitted responsive to the Notification of Noncompliance of 6/28/04, the Advisory Action of 2/18/04, and the Final Rejection of 12/03/03 for the above-referenced application: Amendment After Final (8 pages); Appeal Brief (20 pages); and Transmittal Sheet (1 page)

NO. OF PAGES: 29
(Including cover page)

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PATENT

RESPONSE UNDER 37 C.F.R. 1.116 - EXPEDITED
PROCEDURE - EXAMINING GROUP 1638

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/032,717 Confirmation No.: 5409
Applicant(s): Abad *et al.*
Filed: October 23, 2001
Art Unit: 1638
Examiner: A. R. Kubelik
Title: GENES ENCODING NOVEL BACILLUS THURINGIENSIS PROTEINS
WITH PESTICIDAL ACTIVITY AGAINST COLEOPTERANS

Docket No.: 35718/237005
Customer No.: 29122

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT AFTER FINAL ACTION
PURSUANT TO 37 C.F.R. § 1.116**

Sir:

In response to the Final Office Action dated February 18, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims beginning on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.